<u>REMARKS</u>

Claims 1-27 are pending in this application, with Claims 1, 10, 15, 16, and 23 being independent. Claims 1, 10, 15, 16 and 23 have been amended. Favorable reconsideration is respectfully requested.

The Office Action rejected claims 1-6, 8, 10-13, 15-18 and 22 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,085,172 to Junger; claims 7, 9, 19 and 20 under 35 U.S.C. § 103 as obvious from Junger in view of "Official Notice" and a PR Newswire related to the recycling of laser and inkjet printer cartridges; claim 14 under Section 103 as obvious from Junger in view of an excerpt from Grall, "How The Internet Works," Millennium Edition, © 1999, pp. 292-293, claim 21 under Section 103 as obvious from Junger, Official Notice and the PR Newswire, and further in view of U.S. Patent No. 6,321,983 to Katayanagi et al.; and claims 23-27 under Section 103 as obvious from Junger in view of Official Notice that computer program code is required for the computer automated tasks disclosed by Junger. These rejections are respectfully traversed.

As recited in independent Claim 1, the present invention relates to a computer on a network that effects the return of a consumer product. The computer is adapted to receive information identifying the product from another computer on the network, and transmit to that other computer shipping label data. The shipping label data includes an identification of the destination for the consumer product and an identification at the carrier service that will deliver the consumer product to the identified destination.

-8-

Independent Claim 10 relates to a method for effecting consumer product returns over a network. Independent Claim 15 relates to a computer operatively connected to a printer and located on a network. Independent Claim 16 relates to a system for effecting the return of a consumer product. And independent Claim 23 relates to computer code for effecting the return of a consumer product. All of those claims recite the salient feature discussed above, specifically the transmission of shipping label data, which includes an identification of a destination and a carrier service, to a computer on a network.

Methods of returning consumer products, such as for recycling or of a purchased product not wanted by its purchaser, exist in the art. In conventional systems, a pre-printed shipping label is included with the product when it is purchased, so that a consumer who wishes to return that product may use that pre-printed label to effect the return. The consumer boxes the product, affixes the label to the box and ships it to the pre-printed destination.

While generally good for their intended applications, such conventional systems have certain drawbacks, which stem from their static and inflexible nature. One drawback is that if the label included in the original packaging is lost, the consumer cannot readily effect the return. Another drawback is that the manufacturer must select the destination for the consumer product when the product is initially packaged, and cannot change the destination thereafter. And because the selection must be made at the time the product is packed, before the manufacturer knows in whose hand the product will wind up,

it cannot be tailored to a specific consumer. Thus, the manufacturer cannot direct the consumer product being returned to a destination closer to the consumer.

The present invention overcomes these drawbacks by providing a method and system in which a computer on a network receives shipping label data that includes the destination of the consumer product and a identification of the carrier service that will deliver the consumer product. By providing a product return method and system in which shipping label data is provided in this fashion, the present invention is dynamic and flexible, and overcomes the drawbacks that have plagued the prior art.

Junger does not teach or suggest several of the salient features of the present invention. More particularly, Junger is concerned with the problem of reducing the number of improper or fraudulent returns. In Junger, a retailer regional warehouse 1 operated by a large retail chain collects product returns from local retail stores 3A and 3B. Junger makes no disclosure concerning how the products make their way to the retail stores 3A and 3B, or from the retail stores 3A and 3B to the regional warehouse 1. In any event, at the retailer regional warehouse 1, product identifying information is entered into a personal computer 210, which information is transmitted to a computer system 230 located at a manufacturer's facility 5. The computer system 230 determines whether certain return criteria are met for a product, and if so provides a return authorization. The product is then shipped to the manufacturer's facility, along with an identification of the return authorization.

The return authorization in Junger comprises a return authorization (RA) number. The return authorization does not comprise shipping label data, or any indication of the destination for the returned product or the identity of the carrier. In the present invention, in stark contrast, the computer that transmits the information identifying the consumer product to be returned receives from the other computer not a return authorization, but rather shipping label data that includes i) an identification of the destination of the consumer product; and (ii) an identification of the carrier service that will deliver the consumer product to the identified destination. That feature is neither taught nor suggested by Junger, or by any other prior art cited by the Examiner.

The Examiner contends that Junger teaches an "operatively connected printer that prints shipping labels from the client computer," and cites col. 8, lines 50-54 in that connection (Office Action at 3). That portion of Junger reads as follows:

> Alternatively, the printer 216 (Fig. 2) may be used to print labels upon receipt of a return authorization number. Such labels are preferably placed on all four sides of the shipping pallet, the pallet is shrink wrapped and shipped to the manufacturer.

As can be readily seen from that passage, and from an inspection of Fig. 5 and particularly Fig. 5A, those labels are not shipping labels, but merely labels that authorize the return. The labels are marked with the RA number and a reference number. They do not contain a destination or a carrier identifier. Thus, the labels of Junger bear no relation to the shipping label data of the present invention, which includes the destination of the consumer

-11-

product and an identification of the carrier service that will deliver the consumer product to that destination.

Accordingly, Applicant respectfully submits that independent Claims 1, 10, 15, 16, and 23 are clearly patentable over Junger, taken either alone or in combination with the secondary references; and respectfully request the Examiner to remove the pending rejections.

The remaining claims depend from one of independent Claims 1, 10, 15, 16, and 23, and each partakes in the novelty and non-obviousness of its respective base claim. These dependent claims recite additional patentable features of the present invention as well, and individual reconsideration of each is respectfully requested

CONCLUSION

In view of the foregoing Amendments and Remarks, a Notice of Allowance is earnestly solicited.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

Attorney for Applicant

Registration No. 35, 345

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 330882v1

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1.   (Amended) A computer, located on a network, for effecting the return of a consumer product, the computer being adapted to:

(a)   receive from another computer located on the network consumer information which includes an identification of the consumer product to be returned; and

(b)   transmit to the other computer shipping label data which includes an identification of a destination for the consumer product, selected in accordance with the consumer information, and an identification of a carrier service <u>that will deliver the consumer product to the identified destination</u>.

10.   (Amended) A method of effecting consumer product returns over a network comprising:

(a)   receiving consumer information from a first computer over a network, said consumer information including product type information;

(b)   storing the consumer information in a database server;

(c)   selecting a destination for said consumer product and <u>a</u> carrier service <u>that will deliver the consumer produce to the selected destination, said selection being made</u> in accordance with the consumer information; and

(d)   transmitting shipping label data including an identification of the

destination and an identification of the carrier service to said first computer.

15.   (Amended) A first computer operatively connected to a printer, said first

computer located on a network linking said first computer with a second computer, and being

adapted to:

(a)   transmit to a second computer consumer information including at least

product type information;

(b)   receive from the second computer shipping label data including an

identification of a destination for the consumer product, selected in accordance with the

consumer information, and an identification of a carrier service that will deliver the consumer

product to the selected destination; and

(c)   transmit shipping label data to the printer to cause the printer print a

shipping label.

16.   A system for effecting return of a consumer product, comprising:

(a)   a first computer;

(b)   a network linking the first computer to a second computer, the second

computer adapted to receive consumer information from said first computer over the network and

to transmit shipping label data to said first computer, said shipping label data including a

destination for the consumer product;

(c)   a printer operatively connected to said first computer adapted to print [a] the shipping label; and

(d)   a carrier service adapted to deliver the consumer product to a destination indicated by [said] the shipping label.

23.   (Amended) Computer code, running on a computer located on a network, for effecting the return of a consumer product, including:

(a)   code for receiving from another computer located on the network consumer information which includes an identification of the consumer product to be returned;

(b)   code for processing the consumer information and generating shipping label data; and

(c)   code for transmitting to the other computer shipping label data which includes an identification of a destination for the consumer product, selected in accordance with the consumer information, and an identification of a carrier service that will deliver the consumer product to the selected destination.